

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Domenic F. Terranova and Vincent Palermo

Application No.: 10/004,989 Group: 2681

Filed: December 3, 2001 Examiner: Not assigned

For: WIRELESS COMMUNICATION OVER A TRANSDUCER
DEVICE

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202	
on <u>April 22, 2002</u>	<u>Elaine Leahy</u>
Date	Signature
<u>Elaine Leahy</u>	
Typed or printed name of person signing certificate	

PETITION TO CORRECT FILING DATE OF APPLICATION

Assistant Commissioner for Patents
Box DAC
P.O. Box 2327
Arlington, VA 22202

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APR 29 2002

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Sir:

This petition is being filed under 37 C.F.R. § 1.181, pursuant to C.F.R. § 1.10(c). The subject patent application was mailed via the "Express Mail Post Office to Addressee" service of the United States Postal Service (hereinafter "USPS") in accordance with 37 C.F.R. § 1.10 on December 3, 2001. As indicated by the enclosed postcard receipt, (Exhibit A), the application papers, were received by the Patent Office; however, there is a discrepancy between the filing date accorded by the Office (December 4, 2001) and the date of deposit as "Express Mail" (December 3, 2001.) Accordingly, Applicants hereby petition the Commissioner to accord the subject application a filing date of December 3, 2001, which corresponds to date stamp on the "Express Mail" mailing label.

On December 19, 2001, the postcard receipt for the subject application was received in our office and Applicant's Attorney received the postcard receipt and noticed the discrepancy

between the actual date of deposit with the USPS and the Patent Office date stamp of December 4, 2001. A copy of the postcard receipt is transmitted herewith as Exhibit A. In accordance with 37 C.F.R. § 1.10(c)(1), the instant petition is being filed promptly after Applicant's Attorney became aware that the Office has accorded, or will accord, a filing date other than the USPS deposit date.

As required by 37 C.F.R. § 1.10(c)(2), the number of the "Express Mail" mailing label was placed on the correspondence prior to the original mailing by "Express Mail." Transmitted herewith as Exhibit B (2 Sheets) are copies of the Utility Patent Application Transmittal and page 1 of the Specification of the subject application each bearing the Express Mail Label No. "EL 930599477 US".

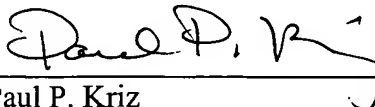
As further required by 37 C.F.R. § 1.10(c)(3), transmitted herewith as evidence of the date of deposit is a true copy of the "Express Mail" mailing label, bearing Label No. EL 930599477 US, and the docket number of the subject application (3058.1008-004) and showing the USPS date stamp of "December 3, 2001 " (Exhibit C). The "date in" is December 4, 2001, however, note that the "bullet" stamp at the U.S. Post Office is December 3, 2001. Supporting evidence of the actual date of deposit of December 3, 2001, is the mail courier's Express Mail Log for December 3, 2001, which lists all applications filed on December 3, 2001 by the firm. A copy of this Express Mail Log is transmitted here as Exhibit D.

In view of the above, Applicants respectfully request that a filing date of December 3, 2001 be accorded the subject application and that the filing date of the application be corrected in Patent Office records.

It is believed that the error in assigning a filing date is a result of a data entry error in the Patent Office's internal records. Therefore, it is believed no fee is due as a result of filing this paper. However, if a petition fee is due, we authorize that it be charged to our Deposit Account 08-0380. Please send us an updated filing receipt upon correction of this error.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.



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Concord, Massachusetts 01742-9133

Dated: *April 19, 2002*

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UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))</i>	Attorney Docket No.	3058.106
	First Named Inventor or Application Identifier	Domenic F. Terranova
	Express Mail Label No.	EL930599477US

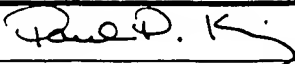
Title of Invention	Wireless Communication over a Transducer Device	EL930599477US
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APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, D.C. 20231
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1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i> 2. <input checked="" type="checkbox"/> Specification [Total Pages [74]] <i>(preferred arrangement set forth below)</i> - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to microfiche Appendix - Background of the Invention - Summary of the Invention - Brief Description of the Drawings - Detailed Description - Claim(s) - Abstract of the Disclosure 3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets [24]] <input type="checkbox"/> Formal <input checked="" type="checkbox"/> Informal <input checked="" type="checkbox"/> Fig. of the Drawings for Publication [1] 4. <input checked="" type="checkbox"/> Oath or Declaration/POA [Total Pages [3]] a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> [NOTE Box 5 below] i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b). 5. <input type="checkbox"/> Incorporation By Reference <i>(useable if Box 4b is checked)</i> The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.	6. <input type="checkbox"/> Microfiche Computer Program <i>(Appendix)</i> 7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy (identical to computer copy) [] Pages c. <input type="checkbox"/> Statement verifying identity of above copies ACCOMPANYING APPLICATION PARTS 8. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & documents) <input checked="" type="checkbox"/> Assignee - Aura Communications, Inc. Wilmington, MA 01887 9. <input type="checkbox"/> 37 C.F.R. 3.73(b) Statement <input type="checkbox"/> Power of Attorney 10. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> 11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 12. <input type="checkbox"/> Preliminary Amendment 13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) 14. <input type="checkbox"/> Small Entity <input type="checkbox"/> Statement filed in prior application, Statement(s) status still proper and desired 15a. <input type="checkbox"/> Foreign Priority Claim under 35 U.S.C. §119(a)-(b) 15b. <input type="checkbox"/> Certified Copy of Priority Document(s) 16. <input type="checkbox"/> Nonpublication Request <i>(check parent application)</i> 17. <input checked="" type="checkbox"/> Other: <u>Transmittal of Processing and Retention Fee filed</u> concurrently under separate cover. (09/942,372)
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18. If a CONTINUING APPLICATION , check appropriate box and supply the requisite information: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input checked="" type="checkbox"/> Continuation-in-part (CIP) of prior application No.: 09/942,372 Prior application information: Examiner: N/A Group Art Unit: 2681
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19. CORRESPONDENCE ADDRESS					
NAME	James M. Smith, Esq.				
	HAMILTON, BROOK, SMITH & REYNOLDS, P.C.				
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Signature		Date	December 3, 2001
Submitted by Typed or Printed Name	Paul P. Kriz	Reg. Number	45,752

- 1 -

Date: 12/3/01 Express Mail Label No. EL9305994770S

Inventors: Domenic F. Terranova and Vincent Palermo
Attorney's Docket No.: 3058.1008-004

WIRELESS COMMUNICATION OVER A TRANSDUCER DEVICE

RELATED APPLICATION(S)

This application is a Continuation-in-part of U.S. Application Serial No. 09/942,372, entitled "Wireless Communication over a Transducer Device," filed on August 29, 2001 (docket 3058.1008-001), which itself claims the benefit of U.S. Provisional Application No. 60/296,229 entitled "System and Method for Wireless Communication," filed on June 6, 2001 (docket 3058.1008-000) and U.S. Provisional Application No. 60/276,398 entitled "Techniques for a Wireless Communication System," filed on March 16, 2001 (docket 3058.1007-000), the entire teachings of all of which are incorporated herein by reference.

BACKGROUND OF THE INVENTION

Inductive antenna devices have been incorporated in transceivers to transmit and receive wireless signals for quite some time. In a typical application, a transceiver device supporting bi-directional communication includes two specifically tuned antennas, one of which is tuned for transmitting while the other is tuned for receiving.

Unlike RF (Radio Frequency) antennas, inductive antennas are often independently tuned for more efficiently transmitting or receiving wireless signals. For example, inductive antennas used for transmitting are generally tuned so they effectively have a low impedance.

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Initials: JMS/PPK/emw

Docket No.: 3058.1008-004

Date: 12/3/01

This is to acknowledge receipt of NEW X CIP APPLICATION as follows:
X Application Transmittal Express Mail Label No. EL930599477US
X Fee Transmittal w/copy Statement S/E Status
X Specification - Total pages 74
X Drawings Formal X Informal - Total sheets 1/24 - 24/24
X Executed Declaration/Power of Attorney - Total pages 3
X Assignment/Recordation cover sheet w/postcard
Sequence Listing in Paper & CRF, Statement 1.821(f)
Other _____
X Check (\$2100) X includes Assignment recordal fee
Authorization to Charge all Fees

Applicant(s):

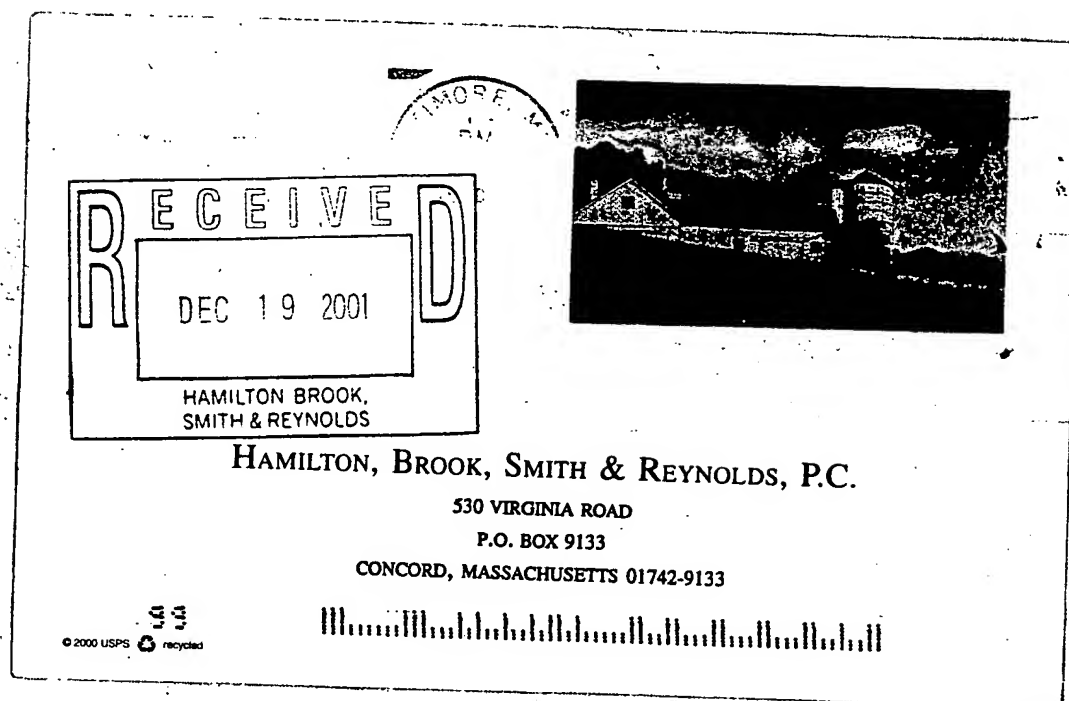
X CIP of Application No. 09/942,372

Claims benefit of U.S. Provisional Application No. JC675 U.S. PTO

Title: Wireless Communication over a Transducer Device

Date received by the PTO:

10/004989
12/04/01



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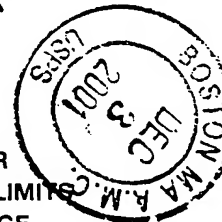
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Label 11-F August 2000

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Date In 12401	Time In 12 Noon <input type="checkbox"/> 3 PM <input type="checkbox"/>	Postage \$ 1625
Weight 1.4 lbs.	Int'l Alpha Country Code	Return Receipt Fee
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520 VIRGINIA ROAD
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CONCORD MA 01742-9133

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U.S. Patent and Trademark Office
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JMS/PPK/emw 3058.1008-004

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CERTIFIED MAIL

HBS&R530 Virginia Road, P.O. Box 9133
Concord, Massachusetts 01742-9133DATE December 3, 2001**EXPRESS MAIL LOG**

ITEM	EXPRESS MAIL LABEL NO.	ATTORNEY/ SECRETARY	APPL. NO/ DOCKET NO./ OR FILE NO.	Date of Deposit	Time of Deposit	Verified Accuracy of Date on Receipt
1.	EV 010604641 US	Jms / SDI	2682, 2010-003 PCT	12-3	976	✓
2.	EV 052064284 US	DmH / Soc	1440, 2012-002 PCT	12-3	9	✓
3.	EV 010603677 US	Juo / JFF	1796, 0002-000	12-3		✓
4.	EV 930599477 US	Jms - PPK-EMW	3058, 1008-004	12-3		✓
5.	EV 010678542 US	Jms - PPK-EMW	3058, 1008-001	12-3		✓
6.	EV 052028004 US	vsq/cmb	2177, 0025-000	12-3		✓
7.	EV 044393523 US	JER	2651-1001-010	12-3		✓
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9.						
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